



General Assembly

February Session, 2022

**Substitute Bill No. 5041**



**AN ACT CONCERNING HOME ENERGY AFFORDABILITY FOR HOME RENTERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2023*) (a) As used in this section,  
2 "home energy label" means (1) a United States Department of Energy  
3 Home Energy score, (2) a Home Energy Rating System Index score, (3)  
4 an Energy Star score, or (4) other labels which may be selected by the  
5 Commissioner of Energy and Environmental Protection under  
6 subsection (b) of this section.

7 (b) The Commissioner of Energy and Environmental Protection may  
8 qualify additional labels or replace an existing label as a home energy  
9 label. In selecting such additional labels, the commissioner shall  
10 consider factors including, but not limited to, (1) the efficiency of the  
11 labeling process, (2) the clarity of the information the label provides  
12 regarding the residence's estimated energy efficiency, (3) the  
13 standardization of the label, (4) the label's compatibility with existing  
14 nationally recognized labels, and (5) the reliability of the label. The  
15 commissioner may also develop and adopt a label and corresponding  
16 report, in a manner and form prescribed by the commissioner, that is  
17 specific to the state. The commissioner's selection, replacement, or  
18 development of labels under this section shall be conducted in an  
19 uncontested proceeding pursuant to chapter 54 of the general statutes.

20 (c) (1) Any landlord, subject to the provisions of subdivision (2) of  
21 this subsection, upon (A) listing any dwelling unit for rent through a  
22 multiple listing service, real estate brokers' organization or other  
23 service, organization, or facility related to the business of selling or  
24 renting dwelling units, including private listing services, shall provide  
25 a home energy label, with an electronic link to the Internet web site  
26 containing the report for such home energy label, through such service,  
27 organization or facility for each dwelling unit so listed, or (B) offering  
28 any dwelling unit for rent through a means other than those specified in  
29 subparagraph (A) of this subdivision, shall provide a home energy label,  
30 with an electronic link to the Internet web site containing the  
31 corresponding report for such home energy label, to any prospective  
32 tenant who visits the dwelling unit.

33 (2) The provisions of this section shall apply (A) on and after July 1,  
34 2023, within any municipality containing a census tract in which the  
35 average percentage of gross household income spent on home heating  
36 and electricity costs is at least ten per cent, (B) on and after July 1, 2024,  
37 within any municipality containing a census tract in which the average  
38 percentage of gross household income spent on home heating and  
39 electricity costs is at least six per cent, (C) on and after July 1, 2025,  
40 within any municipality containing a census tract in which the average  
41 percentage of gross household income spent on home heating and  
42 electricity costs is at least four per cent, and (D) on and after July 1, 2026,  
43 within all municipalities. The Commissioner of Housing and the  
44 Commissioner of Energy and Environmental Protection shall, not later  
45 than March first of each year, publish on the Department of Housing's  
46 and the Department of Energy and Environmental Protection's Internet  
47 web sites a list of municipalities that meet the criteria set forth in this  
48 subsection according to the Low-income Energy Affordability Data Tool  
49 maintained by the United States Department of Energy or a successor  
50 tool.

51 (3) The provisions of this section shall not apply to (A) the rental of  
52 any dwelling unit for which rent payments include a fixed amount for

53 all charges for electricity, natural gas or heating fuel, as defined in  
54 section 16a-23m of the general statutes, (B) any dwelling unit in a  
55 building that was constructed on or after January 1, 2000, or (C) on or  
56 before July 1, 2026, any dwelling unit in any building occupied by the  
57 landlord of such building as a residence.

58 (d) (1) Notwithstanding the provisions of section 51-164p of the  
59 general statutes, any municipality which meets the criteria set forth in  
60 subsection (c) of this section may, by ordinance, establish a civil penalty  
61 payable to such municipality for a violation of this section, provided  
62 such civil penalty shall not exceed five hundred dollars for a first  
63 violation and one thousand dollars for any subsequent violation.

64 (2) Any person assessed any civil penalty under subdivision (1) of  
65 this subsection may appeal such assessment to the Superior Court not  
66 later than thirty days after the mailing date of the notice of such  
67 assessment by filing a petition to reopen the assessment, together with  
68 an entry fee equal to the entry fee for a small claims case under section  
69 52-259 of the general statutes, at the superior court facility designated  
70 by the Chief Court Administrator. Such petition shall entitle such person  
71 to a hearing under the rules of the judges of the Superior Court.

72 (3) The remedies set forth in this subsection shall be in addition to  
73 any other remedies available at law, or in equity, to any person. This  
74 section shall not be construed to limit or restrict the authority of any  
75 state or local housing or health code enforcement agency.

76 Sec. 2. Section 47a-1 of the 2022 supplement to the general statutes is  
77 repealed and the following is substituted in lieu thereof (*Effective January*  
78 *1, 2023*):

79 As used in this chapter and sections 47a-21, 47a-23 to 47a-23c,  
80 inclusive, 47a-26a to 47a-26g, inclusive, 47a-35 to 47a-35b, inclusive, 47a-  
81 41a, 47a-43, [and] 47a-46, [and section] 47a-7b and section 1 of this act:

82 (a) "Action" includes recoupment, counterclaim, set-off, cause of  
83 action and any other proceeding in which rights are determined,

84 including an action for possession.

85 (b) "Building and housing codes" include any law, ordinance or  
86 governmental regulation concerning fitness for habitation or the  
87 construction, maintenance, operation, occupancy, use or appearance of  
88 any premises or dwelling unit.

89 (c) "Dwelling unit" means any house or building, or portion thereof,  
90 which is occupied, is designed to be occupied, or is rented, leased or  
91 hired out to be occupied, as a home or residence of one or more persons.

92 (d) "Landlord" means the owner, lessor or sublessor of the dwelling  
93 unit, the building of which it is a part or the premises.

94 (e) "Owner" means one or more persons, jointly or severally, in whom  
95 is vested (1) all or part of the legal title to property, or (2) all or part of  
96 the beneficial ownership and a right to present use and enjoyment of the  
97 premises and includes a mortgagee in possession.

98 (f) "Person" means an individual, corporation, limited liability  
99 company, the state or any political subdivision thereof, or agency,  
100 business trust, estate, trust, partnership or association, two or more  
101 persons having a joint or common interest, and any other legal or  
102 commercial entity.

103 (g) "Premises" means a dwelling unit and the structure of which it is  
104 a part and facilities and appurtenances therein and grounds, areas and  
105 facilities held out for the use of tenants generally or whose use is  
106 promised to the tenant.

107 (h) "Rent" means all periodic payments to be made to the landlord  
108 under the rental agreement.

109 (i) "Rental agreement" means all agreements, written or oral, and  
110 valid rules and regulations adopted under section 47a-9 or subsection  
111 (d) of section 21-70 embodying the terms and conditions concerning the  
112 use and occupancy of a dwelling unit or premises.

113 (j) "Roomer" means a person occupying a dwelling unit, which unit  
114 does not include a refrigerator, stove, kitchen sink, toilet and shower or  
115 bathtub and one or more of these facilities are used in common by other  
116 occupants in the structure.

117 (k) "Single-family residence" means a structure maintained and used  
118 as a single dwelling unit. Notwithstanding that a dwelling unit shares  
119 one or more walls with another dwelling unit or has a common parking  
120 facility, it is a single-family residence if it has direct access to a street or  
121 thoroughfare and does not share heating facilities, hot water equipment  
122 or any other essential facility or service with any other dwelling unit.

123 (l) "Tenant" means the lessee, sublessee or person entitled under a  
124 rental agreement to occupy a dwelling unit or premises to the exclusion  
125 of others or as is otherwise defined by law.

126 (m) "Tenement house" means any house or building, or portion  
127 thereof, which is rented, leased or hired out to be occupied, or is  
128 arranged or designed to be occupied, or is occupied, as the home or  
129 residence of three or more families, living independently of each other,  
130 and doing their cooking upon the premises, and having a common right  
131 in the halls, stairways or yards.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2023	New section
Sec. 2	January 1, 2023	47a-1

**Statement of Legislative Commissioners:**  
Section 1 was reorganized and Subsecs. (c) and (d) were rewritten for clarity and consistency with standard drafting conventions.

**HSG** Joint Favorable Subst. -LCO